

REMARKS

Claims 1, 2, 4, 6, 7, and 12 are now pending in the application. Claims 1, 6, and 7 have been amended herein. Claims 3 and 8 have been canceled herein without prejudice. Claim 12 has been added herein. Favorable reconsideration of the application, as amended, is respectfully requested.

I. REJECTIONS OF CLAIMS 1-4 AND 6-8 UNDER 35 U.S.C. §§ 102 AND 103

Claims 1-4, and 6-8 stand rejected under 35 U.S.C. §§ 102(e) and 103(a). Applicant believes that all pending claims are allowable for at least the following reasons. Withdrawal of the rejections is respectfully requested.

Independent claim 1 has been amended herein to include all limitations recited in claim 3. Specifically, claim 1 now requires, *inter alia*, that “the sound control device comprises a sound collector, test signal transmitting means for *transmitting test signals* to the electronic devices via the *communication network*, and correction means for receiving test sounds produced from the speakers with the sound collector *in response to the test signals*, for analyzing the received sound signal, and for adjusting the output balance of the audio signals to the electronic devices.” Other independent claims also contain limitations similar to those of claim 1 as identified above. No new matter has been introduced by the amendments.

As a preliminary matter, Applicant notes that the claim language requires that the “*test sounds*” are “*produced from the speakers with the sound collector in response to the test signal*,” and that the “*test signal*” is “*transmit[ted]*” “*to the electronic devices via the communication network*.” In summary, the combined teachings of the references do not suggest the claimed invention as identified above.

McCarty is directed to a communication system for a home network with two-way communication. However, nothing in the McCarty patent suggests transmitting test signals for sound correction via a communication network as claimed. McCarty describes a control signal (paragraph 36). This control signal in McCarty is used merely for *adjusting* a volume level (see, paragraph 34). In other words, McCarty’s control signal is not used for *producing test sounds* in response to the test signal, as claimed. Therefore, it is respectfully submitted that McCarty’s control signal has nothing to do with the claimed test signal for producing test sounds in response to the test signal. Accordingly, McCarty cannot be said to teach or suggest the claimed invention.

Ohta has been reviewed, and found not to cure the deficiencies of McCarty. Specifically, Ohta merely describes sound correction using a microphone and a speaker. Ohta fails to teach or suggest transmitting a test signal for driving a speaker on a communication network as claimed.

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In Ohta's system, the loudspeakers are sounded by the noise signal DN (see, paragraph 63). Therefore, in order for the Ohta system to be properly equated with the claimed invention, there must be some suggestion that the noise signal DN is transmitted via a communication network. However, there is no such suggestion in Ohta. Accordingly, Ohta cannot be said to make up the deficiencies of McCarty.


In view of the foregoing, independent claims 1, 6, and 7, and their dependent claims are believed to be patentable over the cited art. Withdrawal of the rejections is respectfully requested.

Regarding claim 12, the limitations recited in the claim are described in the original specification. As such, no new matter has been introduced by the amendments. All cited references assume that dedicated speakers are used. By contrast, embodiments of claim 12 utilize speakers for electronic devices which function by themselves. Examples of those electronic devices include a television set and a radio set which can receive broadcast programs, a Mini-Disc (MD) audio component which can be used independently, and a personal computer. It is respectfully submitted that the specific limitations of claim 12 are not taught by the cited references. According to embodiments of the invention of claim 12, the claimed "correction means for receiving test sounds" recited in claim 1 provides speakers of electronic devices with superior sound effects. Such addition of superior sound effects to stand-alone electronic devices is not suggested alone or in combination by the cited references. Therefore, claim 12 is believed to be allowable in this regard as well.

II. CONCLUSION

Applicant believes that all pending claims are in condition for allowance, and respectfully requests a Notice of Allowance at an early date. If the Examiner has any continuing concerns about patentability of the claimed invention, he is encouraged to telephone the undersigned at 510-663-1100, ext 245.

Respectfully submitted,
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